



25 OCT 2002

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In re Application of	:	
PAZ	:	DECISION ON
Application No.: 09/743,787	:	
PCT No.: PCT/CU99/00002	:	PETITION UNDER
Int. Filing Date: 19 July 1999	:	
Priority Date: 17 July 1997	:	37 CFR 1.181
Attorney Docket No.: 977777-11177	:	
For: PROCEDURES FOR OBTAINING POLYMERS	:	
DERIVED FROM VINYL ACETATE AND	:	
THEIR USES	:	

This decision is in response to applicant's "Renewed Petition Under 37 CFR 1.181 - Request For Reconsideration of Request For Withdrawal of Holding of Abandonment" filed in the United States Patent and Trademark Office (USPTO) on 09 September 2002.

### **BACKGROUND**

On 15 August 2002, applicant was mailed a decision dismissing applicant's request to have a Notification of Abandonment withdrawn. Applicant had not shown sufficient evidence that a Notification of Missing Requirements (Form PCT/DO/EO/905) had not been received by applicant. Applicant was given two months in which to respond.

On 09 September 2002, applicant responded with the present renewed petition.

### **DISCUSSION**

As stated in the previous decision, the Official Gazette, at 1156 OG 53, provides that a petition requesting relief based on the grounds that an Office action was not received must be accompanied by a statement that (1) the Office action was not received, (2) attests that a search of the file jacket indicates the Office action was not received, (3) attests that a search of counsel's docket records indicates the Office action was not received. The Petition must also be accompanied by (4) copies of the docket records where the non-received Office action would have been entered. (See also, Delgar v. Schulyer, 172 USPQ 513 (D.D.C. 1971).

Applicant previously satisfied items (1), (3) and (4). With the present renewed petition applicant has provided sufficient evidence, in the form of a signed declaration from counsel, that a


search of the application file jacket indicates that the Office action was not received.

**CONCLUSION**


Applicant's Renewed Petition Under 37 CFR 1.181 is **GRANTED**.

The Notification of Abandonment mailed 17 September 2001 is hereby **VACATED**.

This application is being returned to the United States Designated/Elected Office for further processing in accordance with this decision and the re-mailing of a Notification of Missing Requirements (PCT/DO/EO/905).



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